IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2327 OF 2006

Rohan Kandaswami Rajayya .. Applicant.
Vs.
State of Maharashtra .. Respondent.

Mr.P.R.Dave for the applicant.
Mr.A.S.Shitole A.P.P. for the State.

CORAM : D.B.BHOSALE, J.

DATED : 2ND AUGUST, 2006

P.C.:

. Heard learned counsel for the applicant and learned A.P.P. for the State.

2. The applicant has prayed for quashing of the order dated 8.5.2006 passed by the Sessions Court rejecting the application for bail in Criminal Appeal No.143 of 2006 admitted on merits. The said appeal, pending before the Sessions Court is against the judgment and order dated 10th January, 2006 by which the applicant-accused had been convicted under sections 465, 467, 468, 471 and 120-B of I.P.C. The different sentences have also been awarded under the aforesaid sections of the I.P.C. and the accused has to suffer all the substantive sentences concurrently. The maximum sentence awarded is three years and in

addition thereto to pay fine and in default to suffer S.I. for one month. I am informed that the amount of fine has already been deposited. There is no dispute that so far the applicant has undergone 29 months out of 36 months sentence he is liable to suffer even if the order of conviction is upheld. The appeal is pending before the Sessions Court since 14th February, 2006. Considering the overall facts and circumstances of the case and that the accused has sufferred 29 months of sentence so far I am inclined to enlarge him on bail. Hence I pass the following order:

. The applicant may be released on bail in the sum of Rs.50,000/- with two local sureties of the like amount subject to condition that he shall report to the concerned police station every Saturday between 10.00 a.m. to 11.00 a.m. till the disposal of the appeal. The hearing of the appeal is expedited.

. The application is, accordingly, disposed of.

(D.B.Bhosale, J.)